

Executive Grant of Clemency

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS JUAN RAUL GARZA was convicted in the United States District Court for the Southern District of Texas on an indictment (Criminal No. B-93-009) charging violations of Sections 963, 952(a)(2), and 960(b)(1)(G) of Title 21, United States Code (Count 1); Sections 846, 841(a)(1), and 841(b)(1)(A)(vii) of Title 21, United States Code (Count 2); Sections 841(a)(1) and 841(b)(1)(B)(vii) of Title 21, United States Code, and Section 2 of Title 18, United States Code (Count 3); Sections 841(a)(1) and 841(b)(1)(C) of Title 21, United States Code, and Section 2 of Title 18, United States Code (Count 4); Sections 841(a)(1) and 841(b)(1)(B)(vii) of Title 21, United States Code, and Section 2 of Title 18, United States Code (Count 5); Sections 848(a) and 848(c) of Title 21, United States Code (Count 6); Sections 848(a), 848(c), and 848(e)(1)(A) of Title 21, United States Code, and Section 2 of Title 18, United States Code (Counts 7, 8, and 9); and Section 1956(a)(1)(A)(i) and Section 2 of Title 18, United States Code (Count 10); and on August 10, 1993, as recorded in a judgment filed on October 14, 1993, a sentence of death by lethal injection was imposed on Counts 7, 8, and 9; and concurrent terms were imposed of imprisonment for life on Counts 1, 2, and 6, for 40 years on Counts 3 and 5, and for 20 years on Counts 4 and 10; and

WHEREAS the judgment of the District Court was affirmed by the United States Court of Appeals for the Fifth Circuit on September 1, 1995, a rehearing en banc was denied by the United States Court of Appeals for the Fifth Circuit on December 15, 1995, and a petition for a writ of certiorari was denied by the United States Supreme Court on October 7, 1996, and a petition for rehearing was denied by the United States Supreme Court on December 2, 1996; and

WHEREAS the said prisoner subsequently filed a petition to vacate his conviction and sentence pursuant to 28 U.S.C. § 2255, which was denied by the United States District Court for the Southern District of Texas on April 9, 1998, and a motion for relief from judgment under Federal Rule of Civil Procedure 60(b) and motion to alter and amend the judgment under Federal

Rule of Civil Procedure 59(e), which were also denied by the District Court; and

WHEREAS an application for a certificate of appealability concerning the denial of the said prisoner's motion under 28 U.S.C. § 2255 was denied by the United States Court of Appeals for the Fifth Circuit on January 14, 1999, and a petition for a writ of certiorari was denied by the United States Supreme Court on November 15, 1999; and

WHEREAS the said prisoner has been confined continuously since his arrest on November 6, 1992, and presently is incarcerated at the United States Penitentiary at Terre Haute, Indiana; and

WHEREAS on May 26, 2000, the Honorable Filemon B. Vela set a date of August 5, 2000, for execution of the sentence of death imposed upon said prisoner; and

NOW, THEREFORE, BE IT KNOWN that I, William J. Clinton, President of the United States of America, in consideration of the premises, divers other good and sufficient reasons me thereunto moving, do hereby grant a reprieve of the date for execution of the death sentence imposed upon the said JUAN RAUL GARZA from August 5, 2000, to December 12, 2000, and do hereby set December 12, 2000, as the new date for execution of the death sentence, *and further*, the sentences of imprisonment imposed upon the said prisoner are to continue in effect without interruption. The Director of the United States Marshals Service is hereby commanded to take notice of this action and to cause execution of the said sentence of death to be stayed accordingly.

IN TESTIMONY WHEREOF I have hereunto signed my name and caused the seal of the Department of Justice to be affixed.

DONE at the City of Washington this
second day of August
in the year of our Lord Two Thousand
and of the Independence of the United States
the Two Hundred and Twenty-Fifth.



William J. Clinton

William J. Clinton

President